

COMMONWEALTH EDISON COMPANY :
 : Docket No. 21-_____
 Verified Petition in Compliance with :
 Rider NAM :

Commonwealth Edison Company (“ComEd”) respectfully submits to the Illinois Commerce Commission (the “Commission”) this Verified Petition in Compliance with Rider NAM (“Petition”).¹ In brief, this Petition is a compliance filing, required by Rider NAM’s directive, in 7th Revised Sheet No. 447, that ComEd file a petition by June 30, 2021, that, among other related requirements, must request that the Commission open a docket on the subject of terms and conditions to be offered for retail customer metering service after June 30, 2022, to customers who have refused the installation or operation of advanced metering infrastructure (“AMI”) metering at their premises. This Petition is supported by a Verification and has two Exhibits discussed below. In support of this Petition, ComEd states as follows:

1. The context of this Petition is ComEd’s Commission-approved and highly successful “Smart Grid Advanced Metering Infrastructure Deployment Plan” (the “AMI Plan”).

2. The AMI Plan was required by law. Section 16-108.6(c) and (c)(3) of the Public Utilities Act (“PUA”), 220 ILCS 5/16-108.6(c) and (c)(3), required ComEd, in 2012, as a participating utility, to file an AMI Plan that “shall contain: ... (3) a deployment schedule and plan

¹ Rider NAM – Non AMI Metering (“Rider NAM”), ILL. C. C. No. 10, 5th Revised Sheet No. 444, *et seq.*

that includes deployment of AMI to all customers for a participating utility other than a combination utility....”

3. The AMI Plan was established by the Commission in 2012 and revised in 2014, subject to later modifications. *Commonwealth Edison Co.*, ICC Docket No. 12-0298 (final Order June 22, 2012, and final Order on reopening June 11, 2014).²

4. The AMI Plan has been a success. By October 1, 2018, ComEd had attempted to exchange every meter on its system for an AMI meter. By June 30, 2019, ComEd concluded AMI metering mass deployment activities. By December 31, 2020, ComEd had deployed AMI meters at 99.95% of metered customer locations, or over 4.2 million AMI meters. The AMI “mesh network” functions properly at this level of deployment. The Commission has never found a material deficiency in ComEd’s AMI Plan implementation.

5. At this point, only a relatively very small number of retail customer metered locations do not have AMI metering. By December 31, 2020, there were fewer than 5,400 retail customer metered locations without AMI meters (5,346 as of December 31, 2020). Those locations involve customers who have refused and continue to refuse AMI metering.

6. ComEd and the Commission long have understood that the retail customer AMI metering deployment would take several years as provided in the AMI Plan’s implementation period provisions, that some retail meter locations would be difficult for the utility to access in order to perform AMI meter installations, and that, ultimately, there would exist a relatively very small number of retail customers who opposed the installation and / or operation of AMI metering at their premises. Accordingly, Rider NAM, ComEd’s tariff that addresses metering service terms

² The current version of the AMI Plan may be found as Appendix C to ComEd’s April 2020 Smart Grid Advanced Metering Annual Implementation Progress Report (“AIPR”). ComEd has been filing AIPRs since 2013, as is discussed further in Section II of this Petition. All the AIPRs are available on the Commission’s web site at <https://www.icc.illinois.gov/industry-reports/comed-advanced-metering-infrastructure>.

and conditions and charges at metered locations without AMI metering, was established by the Commission in 2014, subject to later modifications. The subjects of the AMI Plan, Rider NAM, and AMI meter refusal also were addressed in *Commonwealth Edison Co.*, ICC Docket No. 20-0686 (final Order Nov. 5, 2020), as is discussed in Section II of this Petition.

7. Service under Rider NAM, as currently designed, concludes on June 30, 2022. Rider NAM, 5th Revised Sheet No. 444.

8. However, as noted earlier, ComEd and the Commission long have recognized the continuing problem of the relatively very small number of retail customer AMI meter refusals, and, accordingly, Rider NAM also requires ComEd to file a petition by June 30, 2021, to address the subject of terms and conditions to be offered for retail customer metering service after June 30, 2022, to customers who refuse the installation or operation of AMI metering at their premises. More specifically, Rider NAM states, in relevant part:

The Company must file a petition with the ICC no later than June 30, 2021, seeking a reevaluation of this rider and requesting that the ICC open a docketed proceeding in order for the ICC to investigate and determine permanent terms and conditions under which service is to be rendered after June 30, 2022, to retail customers that refuse to voluntarily accept the installation of AMI metering or to voluntarily permit the operation of AMI metering at their premises. The results of a study of the operation of this rider since its inception must accompany such filing.

Rider NAM, 7th Revised Sheet No. 447.

9. Therefore, ComEd files this Petition in compliance with Rider NAM, 7th Revised Sheet No. 447, as well as in accordance with *Commonwealth Edison Co.*, ICC Docket No. 20-0686 (final Order Nov. 5, 2020), as is discussed in Section II of this Petition.

10. More specifically, this Petition:

- a) seeks a reevaluation of Rider NAM, as required by 7th Revised Sheet No. 447;

- b) submits the results of a study of the operation of Rider NAM since its inception (Exhibit [“Ex.”] A hereto), as required by 7th Revised Sheet No. 447;
- c) requests that the Commission open a docket for an investigation and determination of terms and conditions for Rider NAM under which service is to be rendered after June 30, 2022, to the small number of AMI meter refusing retail customers expected by and after that date, as required by 7th Revised Sheet No. 447; and
- d) proposes certain amendments to Rider NAM (and provides drafts of the associated Rider NAM informational sheets that contains certain provisions that would be applicable beginning with the July 2022 Monthly Billing Period under the proposed amendments) and a conforming amendment to the Standard Metering section of General Terms and Conditions (“GT&C”) (the tariff amendments are provided in black-lined and clean version) (collectively, Ex. B hereto), consistent with 7th Revised Sheet No. 447 and the Commission’s recent final Order in *Commonwealth Edison Co.*, ICC Docket No. 20-0686 (final Order November 5, 2020).

Those four related subjects are addressed in more detail in Section II of this Petition.

II. PETITION

11. As noted above, Rider NAM, 7th Revised Sheet No. 447, requires ComEd to file a petition that, among other things, “seek[s] a reevaluation of this rider” and provides “results of a study of the operation of this rider since its inception[.]”

12. ComEd hereby requests a reevaluation of Rider NAM.

13. ComEd notes that the Commission already has very extensive information on the operation of Rider NAM. Section 16-108.6(e) of the PUA, 220 ILCS 5/16-108.6(e), requires the utility to file annual AMI implementation plan progress reports (the AIPRs referenced earlier) and grants the Commission authority to require a corrective action plan if the Commission finds the utility's progress in AMI Plan implementation "materially deficient for the given plan year...." As noted earlier, ComEd has been filing AIPRs since 2013, and all the AIPRs are available on the Commission's web site. The AIPRs are lengthy and highly detailed. For example, the April 2021 AIPR, as its Appendix B, provides the ninth Biannual Report required by Rider NAM.

14. In addition, as also is required by Rider NAM, ComEd has prepared a study of the operation of Rider NAM since its inception and has attached the results of that study as Exhibit A to this Petition.

15. With respect to the period of AMI deployment under the AMI Plan and Rider NAM through December 30, 2019 (mass deployment ended by June 30, 2019, as noted earlier), the study states in part:

In April 2012, ComEd committed to install over four million smart meters across the service territory over a ten-year period. Through 2019, ComEd had installed more than 4.2 million smart meters, exceeding target in each year of the Program's operation and fulfilling ComEd's commitment three years earlier than planned, under budget, and while ensuring the work was completed safely, productively, and of the highest quality. After over six million miles driven, over 230,000 customer appointments, and over 80,000 electrician repairs to ensure safe installations, only 5,814 non-AMI meters remained on the ComEd system at the end of the project, December 31, 2019. This represented an AMI Deployment Net Refusal Rate of only 0.1369%, more than seven times lower than the original work plan.

Ex. A, p. 1. The study also reports, among other things, that, in the post-deployment period, under the AMI Plan and Rider NAM, as of December 31, 2020, the number of retail customer metered locations without AMI meters had declined to 5,346, and, as of March 31, 2021, the number had declined to 5,266.

16. As noted above, Rider NAM, 7th Revised Sheet No. 447, also directs that ComEd's request that the ICC open a docketed proceeding in order for the ICC to investigate and determine permanent terms and conditions under which service is to be rendered after June 30, 2022, to the small number of AMI meter refusing retail customers expected by and after that date.

17. ComEd hereby requests that the Commission open such a docket.

18. In connection with ComEd's request that the Commission open such a docket, ComEd also proposes certain amendments to Rider NAM (and its associated informational sheets) and to GT&C consistent with 7th Revised Sheet No. 447 and with the Commission's recent final Order in *Commonwealth Edison Co.*, ICC Docket No. 20-0686 (final Order November 5, 2020). The proposed amendments (in black-lined and clean versions) and informational sheets together are attached as Ex. B to this Petition.

19. By way of background and support of ComEd's proposed tariff amendments, the subject of the problem of persistent AMI meter refusal by a relatively very small number of retail customers recently was addressed in *Commonwealth Edison Co.*, ICC Docket No. 20-0686 (final Order November 5, 2020), where the Commission issued a declaratory ruling addressing ComEd's compliance with applicable provisions of the Public Utilities Act and Commission orders in light of expected continued refusals at the end of June 2022. There, ComEd discussed the problem of AMI meter refusal. ComEd stated that it believed that its best course of action with respect to that subject is: (1) to recognize that at the conclusion of the AMI meter deployment period there will remain a relatively small number of Rider NAM participants; (2) to accommodate customers' participation in Rider NAM beyond the end of AMI deployment; (3) to cap the number of such participants in order to preserve AMI mesh network performance; (4) to continue to collect reasonable charges (as they may be updated from time to time) from the AMI meter refusing

customers as provided for in the tariff; and (5) to continue to inform customers of the benefits of AMI, encourage acceptance of AMI meters, and phase out Rider NAM through the voluntary acceptance of AMI meters. *See* ComEd’s September 9, 2019, Petition, ¶ 45, and the Commission’s final Order, p. 5, in *Commonwealth Edison Co.*, ICC Docket No. 20-0686. While ComEd did not seek Commission approval of ComEd’s proposed course of action described above, and the Commission made no ruling on the proposal, ComEd respectfully submits that the proposal is consistent with the Commission’s findings and conclusions in that docket.

20. Accordingly, and consistent with the plan described in ICC Docket No. 20-0686 , ComEd proposes to amend Rider NAM as follows, subject to the Commission’s conduct of the docket to be opened on this subject and any revisions and additions that may be determined to be warranted. The proposed amendments, which are set forth (in black-lined and clean versions) in Exhibit B to this Petition:

- Rename Rider NAM’s Applicability section as “Availability” and update that section by removing the language relating to the period “Prior to July 1, 2022”, adding language that Availability is limited to:

any retail customer (a) to which the Residential Customer Group, Watt-Hour Customer Group, or Demand Customer Group, as defined in the Supply Groups section of the Retail Customer Categorizations part of the General Terms and Conditions of the Company's Schedule of Rates, is applicable, or would be applicable based upon the Company’s judgment with respect to such retail customer’s expected electric power and energy requirements; and (b) to which the AMI Metering subsection of the Standard Metering section of the Metering part of the General Terms and Conditions of the Company’s Schedule of Rates is applicable and that elects to receive electric service from the Company which is measured by non advanced (AMI) metering as described in the Non AMI Metering section of such Metering part

subject to the Participant Cap as provided in the applicable informational sheets, adding cross-references to certain other riders, and adding language that the

rider is also available to any retail customer, regardless of current rate class and rate and rider applications, located on a premises which has received electric service from the Company, measured by non-advanced (AMI)

metering, as described in the Non-AMI Metering section of such Metering part, on a continued basis as of and since June 30, 2022[;]

- Add three new definitions – Annual Availability Factor, Participant, and Participant Cap;
- Revise the Terms of Service section by removing the language limiting service under the rider to the period ending June 30, 2022, and adding language addressing certain operational topics;
- Update the Monthly Charges section primarily by moving the Meter Reading Charges from the rider to the applicable informational sheet to be submitted with ComEd’s compliance filing in this docket and annually thereafter under the rider, and also removing an obsolete paragraph;
- Update the Other Charges section by adding references to the charges in the applicable informational sheets and removing the stated charges and obsolete language;
- Rename the Biannual Reporting by removing the word “Biannual”, and updating the section by providing that the last biannual report is in 2021 while retaining the language on annual reporting and setting the due date as October 1 of each year; and
- Update the Miscellaneous General Provisions section by adding language that the Company reserves the right to limit enrollment based upon anticipated effects to network capabilities, providing for notice to Commission Staff if the Participant Cap is met or enrollments are otherwise limited, removing the now-obsolete language requiring this Petition, and providing that if a retail customer prohibits defined access then the Company reserves the right to remove the retail customer from or restrict the customer from participating in the rider.

As noted earlier, Exhibit B also includes drafts of the associated informational sheets that would be applicable beginning with the July 2022 Monthly Billing Period under the proposed amendments.³ Finally, Exhibit B also includes a conforming amendment (in black-lined and clean versions) to remove from GT&C language that is obsolete in light of the Commission’s final Order in *Commonwealth Edison Co.*, ICC Docket No. 20-0686.

³ The attached draft informational sheets as placeholders show the current charges for the June 2021 monthly billing period.

III. CONCLUSION

WHEREFORE, Commonwealth Edison Company respectfully requests that the Illinois Commerce Commission grant ComEd's Petition and, in accordance with Rider NAM, 7th Revised Sheet No. 447, reevaluate Rider NAM; accept Petition Exhibit A as compliant; open a docket for an investigation and determination of terms and conditions for Rider NAM under which service is to be rendered after June 30, 2022, to the small number of AMI meter refusing retail customers expected by and after that date; approve the proposed amendments to Rider NAM set forth in Petition Exhibit B, subject to results of that docket and any revisions and additions that may be determined to be warranted; and, order such other and further relief as may be warranted.

Dated: June 30, 2021

Respectfully submitted,
COMMONWEALTH EDISON COMPANY

By: 
One of its Attorneys

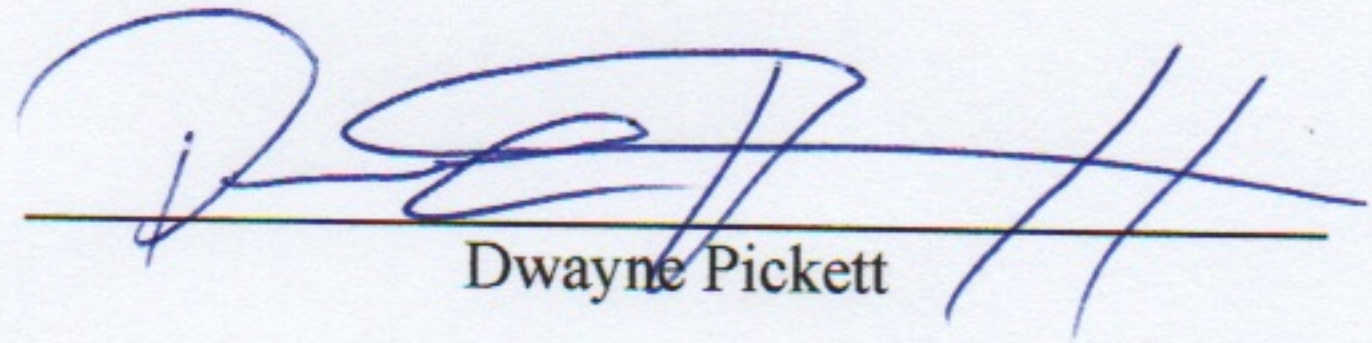
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VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned hereby certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.


Dwayne Pickett